

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

ERIC J. STAPLETON,) No. CV-10-0040-CI
Plaintiff,)
)
v.) ORDER GRANTING STIPULATED
MICHAEL J. ASTRUE,) MOTION FOR REMAND PURSUANT
Commissioner of Social) TO SENTENCE FOUR OF 42
Security,) U.S.C. § 405(g)
)
Defendant.)

BEFORE THE COURT is the parties' Stipulated Motion for Remand of the above-captioned matter to the Commissioner for additional administrative proceedings. (Ct. Rec. 19.) Attorney Maureen J. Rosette represents Plaintiff Eric Stapleton; Special Assistant United States Attorney Richard M. Rodriguez represents Defendant. The parties have consented to proceed before a magistrate judge. (Ct. Rec. 8.) After considering the stipulation of the parties,

IT IS ORDERED:

1. The parties' Stipulated Motion for Remand (**Ct. Rec. 19**) is **GRANTED**. The above-captioned case is **REVERSED** and **REMANDED** to the Commissioner of Social Security for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the administrative law judge (ALJ) will consult with a vocational expert to determine whether, in light of the claimant's residual functional capacity, there is any work Plaintiff could perform that exists in significant numbers in the national economy. Further, the ALJ will explicitly determine occurrence of any jobs.

1 Plaintiff may present new arguments and evidence. The ALJ may
2 develop the record further and conduct further proceedings as
3 necessary.

4 2. Judgment shall be entered for the **PLAINTIFF**.

5 3. Plaintiff's Motion for Summary Judgment (**Ct. Rec. 13**) is
6 dismissed as moot.

7 4. An application for attorney fees may be filed by separate
8 motion.

9 The District Court Executive is directed to enter this Order,
10 forward copies to counsel, and thereafter shall close this file.

11 DATED December 8, 2010.

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S/ CYNTHIA IMBROGNO
14 UNITED STATES MAGISTRATE JUDGE
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